

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP D. HATTEN,

Defendant.

8:04CR363

ORDER

Defendant Phillip D. Hatten (Hatten) appeared before the court on June 12, 2007, on the Petition for Warrant or Summons for Offender Under Supervision (Report) (Filing No. 32) as amended (Filing No. 33). Hatten was represented by First Assistant Federal Public Defender Shannon P. O'Connor and the United States was represented by Assistant U.S. Attorney Michael D. Wellman. Through his counsel, Hatten requested a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). The court proceeded to an immediate hearing. The court heard the testimony of Probation Officer Sandra L. Foster and received into evidence Exhibit 1, an Omaha Police Department (OPD) report. I find that the Report alleges probable cause and that Hatten should be held to answer for a final dispositional hearing before Chief Judge Joseph F. Bataillon.

The government moved for detention. At the time of his initial appearance before the court, the defendant was in the custody of Nebraska state authorities on state charges.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 1:30 p.m. on July 20, 2007**. The defendant must be present in person.

2. The government's motion for detention of Phillip D. Hatten pursuant to the Bail Reform Act is held in abeyance pending the defendant's coming into federal custody.

IT IS FURTHER ORDERED:

The defendant, Phillip D. Hatten, having received notice of his return to the custody of Nebraska state authorities pending the disposition of this matter and having waived an opportunity for hearing in this matter pursuant to the Interstate Agreement on Detainers, 18 U.S.C. app § 9(2), the U.S. Marshal is authorized to return the defendant, Phillip D. Hatten, to the custody of Nebraska state authorities pending the final disposition of this matter and the U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

DATED this 12th day of June, 2007.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge